

Appl. No. 09/615,978
Amdt. Dated May 7, 2004
Reply to Office action of Feb. 23, 2004

REMARKS AND ARGUMENTS

Claims 1, 5, 8-19, 21-23, 28, 30, 31, 33, and 35-39 are pending in the Application. Claims 40-42 are added. Each of the pending claims is rejected under 35 U.S.C. 103(a), as being unpatentable over *Suzuki* WO98/25999A1, in view of *Stern, et al.* U.S. Patent No. 4,681,577, and alternatively, in view of *Hamajami* U.S. Patent No. 6,326,525, and/or *Suzuki* U.S. Patent No. 6,258,196. Applicants traverse each of these rejections.

Claims 2-4, 6, 7, 11, 12, 14, 21, 24, 32, 34, 37, and 39 are canceled, without prejudice and so as to facilitate and expedite examination of the remaining pending claims. Claim 39 has been canceled but, essentially, rewritten as substitute new claim 42.

A personal Interview was conducted by the undersigned and the Examiner on April 22, 2004. The Examiner's consultation is appreciated. The amendments provided herein are consistent with the course of action discussed in the Interview. Additional amendments (not discussed) are also provided to facilitate the reading of certain claims.

Amended Claim 1 recites a disposable absorbent article having, among other elements, an absorbent core constructed of a first absorbent composite and a pair of longitudinally-extending, upstanding cuffs spaced laterally from the core. The upstanding cuffs further include longitudinally-extending absorbent composite sections. Amended claim 1 also recites that the first absorbent composite (of the core) and the longitudinally extending absorbent composite sections in each cuff, are distinct, swellable SAP sections of one continuous absorbent composite structure positioned about a crotch region of the article. Further, the continuous absorbent composite structure is recited as being folded between a longitudinally-extending composite section and the absorbent core to form a substantially, non-swellable intersection therebetween.

Applicants maintain the positions and arguments, as presented in the previous Responses to Office Action, regarding the patentability of claim 1 (even as previously amended) over the combination of the *Suzuki*, *Stern*, and/or *Hamajami* references.

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Applicants further emphasize, in this Response, that none of these references, individually or in any combination, teaches or suggests such a first absorbent composite and longitudinally-extending absorbent composites, which are swellable sections of one continuous absorbent composite structure. Applicants note specifically that *Hamajami* does not teach or suggest such an absorbent composite that is folded to form such intersections and which provide such distinct swellable sections.

Accordingly, each of independent claim 1 and dependent claims 8, 9, 10, 13, 15-17, and 40 is in condition for allowance.

The remaining independent claims 18, 30 and 42 (and claims depending therefrom) contain limitations related to or similar to those discussed above. These claims are patentable over the cited prior art.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

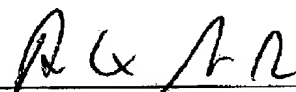
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If the appropriate Petition for an Extension of Time is not attached hereto (or any other Petition required of the application), this statement shall serve as Applicants' Petition to the U.S.P.T.O. Please charge any fees that are due for any Petition or any fee required of this filing to the deposit account of The Morris Law Firm, P.C., Account No. 50-0997 (AHP-P01880US1).

Respectfully submitted,

Date:

05/07/2004



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